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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	
)	
INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS
)	CHAPTER 7
INTERNATIONAL HERITAGE,)	CASE NO. 98-02674-5-ATS
INCORPORATED)	
)	
Debtor.)	

**MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT**

The Trustee in the above-captioned case, by and through Counsel, respectfully moves the Court pursuant to Bankruptcy Rule 6004 and 9019 for an Order Approving Compromise and Settlement between Duke Realty ("Duke") and the Debtor (IHI). Based on the following:

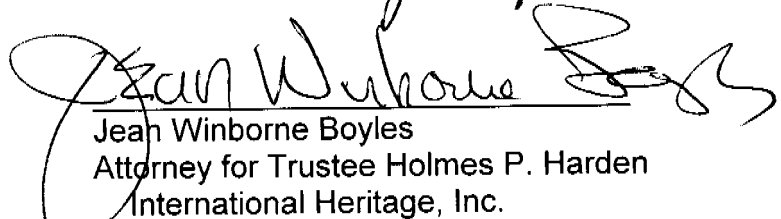
1. Movant is the duly qualified and acting Trustee in the case.
2. The Trustee, through Counsel, has made demand upon Duke for certain property which it was holding as a deposit at the time of the filing of the case.
3. After due negotiation between the representatives of Duke and the Trustee, Duke has offered to settle for a payment of \$6,000.00 with IHI if IHI will execute the Release and Settlement Agreement in full satisfaction of all claims between Duke and the Debtor and releases Duke from any further claims from IHI.
4. There are disputes and the Trustee is satisfied that the offer of \$6,000.00 in full satisfaction and release of any claims which the Debtor has against Duke is a fair settlement between the parties for all claims between the parties and it is in the best interest of the Estate and should be approved by this Court.
5. Duke has tendered the \$6,000.00 to the Trustee and the Trustee is holding said payment pending Court approval.

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WHEREFORE, the Trustee prays the Court enter an Order directing the Trustee to execute the attached Release and Settlement Agreement between Duke and IHI for consideration of \$6,000.00.

RESPECTFULLY SUBMITTED this the 28th day of July, 2002.



Jean Winborne Boyles
Attorney for Trustee Holmes P. Harden
International Heritage, Inc.
P.O. Box 10506
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919-881-9299
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N.C. State Bar #5516

RELEASE AND SETTLEMENT AGREEMENT

THIS AGREEMENT is made this the _____ day of _____, 2002, by and between Weeks Realty, L.P. ("Weeks") an assign of SFBC and the Estate of International Heritage, Inc., Debtor, to settle all claims arising out of the Lease dated June 16, 1997, by and between SFBC One Associates and International Heritage, Incorporated, more specifically the claim for turnover of the security deposit in the amount of \$24,665.40 for the Spring Forest Business Center located at 3200 Spring Forest Road, Raleigh, North Carolina. After due negotiation concerning damages applied against the security deposit the parties have agreed to a settlement in the amount of \$6,000.00 to be paid to the Estate of International Heritage, Incorporated in full settlement of all claims against the security deposit herein.

THEREFORE, in consideration of \$6,000.00 as full satisfaction of the Estate's claim under the Lease Agreement the Estate releases Weeks and Weeks releases the Estate of any claims, setoffs or causes of action each may have against the other pursuant to any terms of the above defined Lease.

IN WITNESS WHEREOF, pursuant to an Order of the Court dated _____, 2002, this Agreement of Settlement and Release is entered into.

WEEKS REALTY, L.P.

ESTATE OF INTERNATIONAL
HERITAGE, INCORPORATED

BY: _____
Printed Name: _____
Title: _____

BY: _____
Holmes P. Harden, Trustee

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

CHAPTER 7

INTERNATIONAL HERITAGE, INC.,

CASE NO. 98-02675-5-ATS

INTERNATIONAL HERITAGE,
INCORPORATED

CASE NO. 98-02674-5-ATS

Debtor.

**NOTICE OF MOTION FOR APPROVAL OF COMPROMISE
AND SETTLEMENT AND CERTIFICATE OF SERVICE**

TO: ALL CREDITORS OF INTERNATIONAL HERITAGE, INC. AND OTHER PARTIES
IN INTEREST

NOTICE IS HEREBY GIVEN of the Motion for Compromise and Settlement Adversary Proceedings regarding Duke Realty for the payment by the Defendant to the Trustee in the amount of \$6,000.00.

An objection to the Motion must be filed with the Clerk, United States Bankruptcy Court, Post Office Box 1441, Raleigh, NC 27602, with a copy served on the Trustee whose name appears at the bottom of this Notice, within TWENTY (20) DAYS of the date of this Notice. No hearing will be conducted on said objection unless the Court, in its discretion, deems a hearing necessary, or unless a party in interest requests a hearing. Any party requesting a hearing shall appear at the hearing in support of such request or he may be assessed with costs.

DATE OF NOTICE: July 24th, 2002.



Holmes P. Harden
State Bar #9835
Chapter 7 Trustee
MAUPIN, TAYLOR & ELLIS, P.A.
Post Office Box 17169
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CERTIFICATE OF SERVICE

I, Holmes P. Harden, do hereby certify that the foregoing document was served upon all parties of record by mailing a copy thereof to each such party at the address indicated below with its proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Post Office in Raleigh, North Carolina and by public notice via 888-895-8385 and 919-981-4033 and by posting on the court's web page at www.nceb.uscourts.gov. on the 24th day of July, 2002.

MAUPIN TAYLOR & ELLIS, P.A.

BY: 

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